planted on the road sides in lieu of mere shade-giving ones, which was the present practice. He also observed that a bold policy in regard to the extension of railway communication in the State would add to the resources of the people. As regards the statement often made that Travancore suffered from the importation of foreigners as Dewans, the Member stoutly repudiated it and observed that the statement would not bear examination. It did not matter whether a particular Dewan was a Travancorean or a non-Travancorean. The test lay in the work he did, and so far as that was concerned, he would boldly assert that the people were largely benefited by the administration of foreign Dewans. It could not be ignored that, though a Dewan was a foreigner, the Heads of the various Departments were all natives and that it was those officers that practically shaped his policy. What had to be recognised was the hard fact that those who worked sincerely for the advancement of the people in the State should be regarded as Travancoreans. Any one who had watched the progress of administration during the past 18 months could easily see that the sole aim of the present administration was the promotion of the welfare of the people. In conclusion, the Member expressed satisfaction at the Dewan's announcement in his opening address that the orders of the Government in regard to the separation of Devaswoms from the Land Revenue Department would issue shortly.

Dewan's reply.—You have made several personal references to me in the course of your speech. I therefore feel a certain amount of delicacy in replying to your speech. I am thankful to you for the kind words you have said about me. I am glad that the Assembly realises that I am here to do what I consider in the inmost recesses of my heart to be for the good of Travancore. I do not deny the fact that I am a foreigner. But being for the time being in Travancore, I look upon myself as a Travancorean as much as any one of you. I would request you to cast out of your mind the idea that I am a foreigner and that my policy is not what it would be if I were a Travancorean.

I am glad that you recognise the need for increasing the revenues of the State. You have also done great service in emphasising the need for a mentality on the part of the people to co-operate with the Government. This is the *sine qua non* of all progress in the State. Government are not above making mistakes. The mistakes must be pointed out. Unless you co-operate with the Government and point out the mistakes in a responsible spirit, no real progress is possible.

I am also glad of one or two constructive suggestions made by you. You have referred to my address at the last session of the Assembly. In that address I stated that the policy I wished to adopt was the development of the resources of the State and the expansion of the area under cultivation. We have to proceed step by step. The Government are in earnest, and not inactive in that direction. You must remember that the development of the resources of a country means initial outlay. Money should be found for meeting this outlay, and that is my difficulty. I do recognise that small taxes are an irritation and should be avoided. They are, however, unavoidable, if they constitute the only means of increasing the State's revenues.

II. MAIN HEADS OF REVENUE.

(1) Land Revenue.

8. Grievances of the people under the Land Conservancy Regulation.

Mr. M. Subrahmanya Pillai (Member, Nedumangad Taluk) said that *tharisu* lands, which had been in the *bona fide* occupation of the people for more than 30 years and which contained valuable improvements, had come to be included in reserved forests in his taluk and that the occupants were evicted under the Land Conservancy Regulation in certain cases. On the other hand, large areas of land within reserved forests had been and were proposed to be disafforested and assigned to certain influential men, in utter disregard of all principles of forest conservancy. A careful examination would show that within many of the reserved forests there were still large areas of swampy lands fit

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for paddy cultivation. The Member prayed that such swampy areas might be found out and excluded from the reserved forests and assigned to the subjects of the State in small blocks not exceeding 7 acres for each family, which would decidedly increase the food supply in the country and avert the need for importing annually large quantities of paddy and rice. He also presented a memorial from the inhabitants of his taluk specifying certain blocks of lands which were fit for disafforestation and registry and requested that steps might be taken for the early assignment of those lands.

Dewan's reply.—It is proposed to appoint local Committees of officials and non-officials to go carefully into the questions touched upon by the Member and submit recommendations to Government.

Mr. Kanakku Kerulan Govindan (Member, Mavelikara Taluk) said that the method adopted by revenue officers in the matter of starting and disposing of *poramboke* cases worked considerable hardship on the people, especially the owners of lands adjoining roads and lanes. In all cases where the present measurements of lands did not exactly tally with the measurements recorded in the past, the revenue subordinates treated the excess as *poramboke*, took steps against the occupants under the provisions of the Land Conservancy Regulation, and recovered back arrears of assessment for several years. In the matter of levying prohibitory assessment, the rule fixing 5 or 10 times the normal assessment was made applicable to trees on *poramboke* lands, and this caused immense hardship, because the assessment on a taxable tree calculated on that principle amounted to a high figure and back arrears for all the years of past occupation were also recovered at that high rate. Various causes contributed to excess areas in registered holdings, such as the inaccuracy of the former measurements, the levelling of bunds, etc. In many cases excess areas found inside registered holdings were treated as *poramboke*, although there were no *poramboke* lands near. The lower subordinates often shifted old boundaries and brought about disputes among private owners also. This mode of creating encroachments and punishing occupants who had not actually encroached upon the lands should be checked. Before the appointment of Assistant Tahsildars, there was only a Taluk Surveyor for each taluk who could now and then disturb the people with his scientific survey, but now a band of clever young men had been created and they caused more unsettlement and resettlement than before. When the post of Assistant Tahsildars was created, the people raised their cry against it and now the result had been brought home to them. The remarks in the Dewan's Address about Assistant Tahsildars, coupled with public opinion, would show that their work did not justify the expenditure incurred on them. In some cases, temples and *kavoos* owned and managed by certain families and communities stood on unregistered lands which were, from time immemorial, in the possession and enjoyment of the managers of those temples. The *kavoos* formed part and parcel of the original family compound and had been treated as such for centuries past, though, in the measurements of the compound the extent of the *kavoo* was excluded, mention being nevertheless made of the *kavoo* as belonging to the family in the *olugu* accounts. In the Settlement, the above sites, being unregistered, came to be recorded as Government lands. The Member said that the owners of such temple sites and *kavoos* were now proceeded against under the Land Conservancy Regulation for encroachment and in some cases steps were taken to assign the lands on levy of *tharavila* and *thadivila*. This was a source of great hardship to the people, for the land and the trees were not used for any profitable purpose and the cutting of trees from those *kavoos* was considered sacrilegious. The Member prayed that Government might consider this question with sympathy and that such *kavoos* be registered as the *thanathu* of the temples. He pointed out that section 18 of the Land Conservancy Regulation prohibited civil suits on the decisions of Government in encroachment cases and that the responsibility of Government to mete out justice in this matter was therefore all the greater.

Dewan's reply.—I am afraid that the very reasons which you have urged for the abolition of the Land Records staff establish the necessity for the retention of the staff which you condemn. The survey and land records maintenance work has, as I have said in my address, been so badly neglected in the past that, when

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the whole thing is overhauled, one naturally sees so much of the defects exposed. It is the natural result of years of neglect and, in rectifying the errors and improving matters, a certain amount of hardship to the people is unavoidable. I do not say that the officers are free from fault. It is for you to expose their vagaries and get them punished. The main object of the operations is to see that all the differences between ownership and registry in the accounts are reconciled. I believe it is within the experience of all that the electoral rolls do not correspond to actual proprietorship and this is the result of the neglect of years in *pokkuvaravu* and sub-division work. Unless we make a determined effort to remove these defects, we shall only be increasing our difficulties for the future. The special hardships that you refer to will be looked into and remedied. The rules under the Land Conservancy Regulation provide for plenty of check by superior officers and the Land Revenue Commissioner should see that the check is effectively exercised.

Member.—It is not the want of provision, but the misuse of the provision, that causes the hardship.

Dewan.—That is a matter of detail and concerns the working of the Regulation. In the Rules there are provisions for safeguarding the interests of the ryot. In cases of encroachments which are considered to be unobjectionable, no fines need be levied, while, in objectionable cases the fines should be deterrent. In cases in which occupation, whether permanent or temporary, is unobjectionable, recourse need not be had to Sections 6 and 9 of the Regulation, but action should be taken for registering the land. I find that the rules for the levy of prohibitory assessment on Government lands are applied bodily to trees standing on such lands and that some avoidable hardship has thus been caused. I shall make the rules clearer in this respect. In regard to *kavoos*, they are a peculiar feature of this country, and they certainly ought not to be taxed. I shall issue necessary instructions to exclude them from the category of encroachments so long as they are used for the purpose for which they are intended.

Mr. Chandi Thomas (Member, Ambalapuzha Taluk) represented that the land records maintenance staff caused considerable hardship to the people in the matter of *poramboke* cases in his taluk. Even lands registered last year were being treated as *poramboke*. In deciding a case to be one of real encroachment, the officers were solely guided by Settlement records and they seldom consulted the *olugu* measurements. If the *olugu* records were also examined, many of the *poramboke* cases in which the parties were convicted and punished would cease to be such. Trees 100 years old were being included under *porambokes*, even though the last Settlement of the taluk was completed only 20 years ago. There was no limitation as against the Government in the matter of taking up encroachment cases. Such a limitation as against the Government was necessary to avoid inconvenience in adducing evidence on both sides. In a water-logged taluk such as Ambalapuzha where the lands are under water for several months of the year, small encroachments might naturally be brought about even without the knowledge of the land-owners in the process of frequent putting up and strengthening of bunds and in manuring the lands with silt, and by the natural action of the rivers and canals submerging the lands. Those facts should be vividly kept in view in applying the rules under the Land Conservancy Regulation to what might appear to be unauthorised occupations in the taluk. The Member, therefore, prayed for the following measures of relief:—

(1) The present land records maintenance work should be stopped in the Ambalapuzha taluk and the necessary modifications in the rules should be effected to suit the peculiar conditions of that taluk.

(2) Considering the peculiar circumstances under which encroachments were brought about in that taluk, encroachments below one cent in extent should be ignored.

(3) Every facility should be afforded to parties for obtaining copies of *olugus* and other revenue records, which were so necessary for them for adducing evidence in *poramboke* cases.

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(4) Copies of old *olugus* and other revenue records which were written on cadjan and which were becoming indecipherable should be recopied and preserved so as to prevent such records being completely lost in the future.

(5) Stringent orders should be issued to the subordinates of the Land Revenue Department to strictly follow the provisions of the Land Conservancy Regulation and the rules issued thereunder in the matter of issuing notices and summonses to parties in *poramboke* cases and the officers who departed from them should be severely punished.

(6) A period of one year should be prescribed as the outside limit within which Government should initiate proceedings under the Land Conservancy Regulation, and after the expiry of that period, a civil suit should be the only remedy.

(7) Sufficient time and convenience should be afforded to parties in *poramboke* cases to adduce evidence and *poramboke* cases should be decided with due regard to the *olugu* measurements.

(8) Orders should be issued to the effect that *bona fide* encroachments over small areas for long periods should be registered in the names of the occupants subject to the levy of assessment equal to the rate of assessment imposed on adjoining registered lands.

Dewan's reply.—I shall consider the question of revising the Rules, but I would ask you to specify 30 or 40 concrete instances in respect of which you say that so much hardship and difficulty exist. I will ask the Land Revenue Commissioner to inspect the places with you and see how far the hardships and difficulties are real.

Mr. Ulahannan Ulahannan (Member, Minachil Taluk) dwelt at length on the hardships caused to the people in the matter of *poramboke* enquiries and the difficulties and the cost involved in getting copies of revenue records and in exhibiting them as evidence. He prayed for orders being issued in the following respects:—

(1) Since all the revenue records affecting the interests of the people were in the custody of the Government, every facility should be afforded to the people to obtain copies of those records; copies of all records should be freely granted at all times to parties who applied for them; and copying fees should be reduced and the necessity of affixing court fee stamps brought down to the lowest minimum.

(2) Arrangements should be made for carefully preserving original records from being destroyed or tampered with.

(3) Lands containing substantial improvements and buildings should be registered in the names of the occupants.

(4) When survey and settlement mistakes were pointed out by parties or came to the notice of Government, the mistakes should be promptly rectified with reference to Government records without driving the parties to civil courts; the period of limitation for the same should be extended till the end of the next Settlement and the period of limitation for filing civil suits after notice to Government should also be extended to six months.

(5) Copies of measurement sketches and plans should be caused to be prepared and preserved in the Huzur, Division and Survey offices.

(6) The provisions of the G. O. defining the treatment to be accorded to encroachments on lands on the banks of the Kulakkada river should be made applicable to other rivers in the State.

(7) The rates of *tharavila* fixed by a competent authority after local inspection should not be increased or decreased by any superior officer without himself making a local inspection and without proper grounds; and moderate rates of *tharavila* should be prescribed for lands in all taluks in the State, as in the case of Nedumangad and a few other taluks.

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(8) In levying assessment on Government lands, the rates adopted for neighbouring lands at the last Settlement should be applied. Similarly, in the matter of back arrears of assessment on lands and trees, the rates should not be any multiple of the ordinary assessment as laid down in Rule 7 of the Land Conservancy Rules; but arrears should be recovered at the normal rate of assessment and should be restricted to a maximum of five years as is done in assigning lands under the Revised Puduval Rules.

Dewan's reply.—I have already said, in reply to Mr. Kerulan Govindan, that the question of modifying the Land Conservancy Rules in certain respects will be considered. The present rules contain suitable provisions in regard to the other points mentioned by the Member.

The Assembly adjourned at 4-55 P. M.

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